

SENATE BILL 3266  
By Elsea

AN ACT to amend Chapter 30 of the Acts of 1919, as amended by Chapter 610 of the Acts of 1919, Chapter 28 of the Acts of 1923, Chapter 124 of the Private Acts of 1967, Chapter 161 of the Private Acts of 1969, and any other acts amendatory thereto, relative to the charter of the Town of Englewood.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Chapter 30 of the Acts of 1919, as amended by Chapter 610 of the Acts of 1919, Chapter 124 of the Private Acts of 1967, Chapter 161 of the Private Acts of 1969, and any other acts amendatory thereto, is amended in Section 3 in the first sentence by deleting the word "Marshal" and substituting instead the language "chief of police", and is further amended by deleting the last paragraph in its entirety and substituting instead the following new paragraph:

No person shall be eligible to the office of commissioner or recorder unless he or she is at least twenty-one years of age. Candidates for the office of commissioner shall have been residents of the Town of Englewood for at least twelve (12) consecutive months immediately preceding their election, and following their election shall remain residents of the town on penalty of automatically forfeiting their offices. However, the recorder may be either a resident or a non-resident of the town. Before entering upon the duties of their offices, the commissioners shall take and subscribe to an oath to faithfully perform their duties before some officer qualified to prescribe oaths in Tennessee.

SECTION 2. Chapter 30 of the Acts of 1919, and any other acts amendatory thereto, is amended in Section 4 by deleting in its entirety the current caption and substituting instead the caption, "Election, duties and powers of chief of police," and by deleting from the first sentence the phrase "Marshal,or".

SECTION 3. Chapter 30 of the Acts of 1919, and any other acts amendatory thereto, is amended in Section 6 in subsections (b) and (c) by deleting the word "Marshal" wherever it appears and substituting instead the language "chief of police".

SECTION 4. Chapter 30 of the Acts of 1919, as amended by Chapter 28 of the Acts of 1923, as amended by Chapter 124 of the Private Acts of 1967, and any other acts amendatory thereto, is amended by deleting Section 18 in its entirety and substituting instead the following:

Section 18. Be it further enacted, That the three (3) commissioners elected in the town election in December, 1992, to terms of four (4) years, and the two (2) commissioners elected in the town election in December, 1994, to terms of four (4) years, shall complete their terms of office. In the town election in December, 1996, three (3) commissioners shall be elected to transitional terms that shall expire on the Thursday following the date of the general state election held on the first Thursday in August, 2000. In the town election in December 1998, two (2) commissioners shall be elected to transitional terms that shall expire on the Thursday following the date of the general state election held on the first Thursday in August, 2002. Following those two transitional elections, the regular town election shall be held on the date of the general election on the first Thursday in August of even-numbered years, and the commissioners elected on that date shall serve four (4) year terms of office, to begin on the Thursday following that election. All residents of the town who are qualified voters for members of the General Assembly, and any persons who reside outside the town but who are qualified voters for members of the General Assembly and are

also bona fide owners of real property within the corporate limits of the town, shall be entitled to vote in town elections. Vacancies on the board of commissioners shall be filled until the next regular town election by the remaining members of the board, at which time any portion of the unexpired term shall be filled by the voters.

SECTION 5. If any provision of this act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to that end the provisions of this act are declared to be severable.

SECTION 6. This act shall have no effect unless it is approved by a two-thirds (2/3) vote of the Board of Commissioners of the Town of Englewood within ninety (90) days of its signing by the Governor. Its approval or nonapproval shall be proclaimed by the presiding officer of the Board of Commissioners and certified to the Secretary of State.

SECTION 7. For the purpose of approving or rejecting the provisions of this act, it shall be effective upon becoming a law, the public welfare requiring it. For all other purposes, it shall become effective upon being approved as provided in Section 6.

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